

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

TINA LINDQUIST	:	NO. 04-249E
	Plaintiff,	:
		: MAGISTRATE JUDGE
v.		: SUSAN PARADISE BAXTER
		:
HEIM, L.P.		:
	Defendant.	:

PLAINTIFF'S MOTION TO EXTEND CASE MANAGEMENT ORDER
DEADLINES

Now comes the Plaintiff, by and through her undersigned counsel and files the within Motion to Extend Case Management Order Deadlines. In support thereof Plaintiff states and avers as follows:

1. The present cause of action arises out of an incident which occurred on or about September 25, 2002.
2. At the time of her injury, Plaintiff was in the course and scope of her employment working on a machine press/punch press.
3. As a result of this accident, Plaintiff had all fingers of both hands amputated except for her thumbs.
4. On or about January 20, 2005, this Honorable Court issued a Case Management Order setting forth deadlines for the pretrial proceedings. (See copy of Case Management Order attached as Exhibit "A").

5. Said Order states that fact discovery shall be completed by 240 days from initial case management conference or September 16, 2005.

6. Plaintiff presented to this Honorable Court a Motion to Compel Full and Complete Answers to Discovery propounded to Defendant on or about June 8, 2005.

7. This Honorable Court held a telephone conference to hear the arguments on the Motion to Compel on June 27, 2005. This Honorable Court ruled that Defendant must produce all materials from 1972 through 1980 on the press brake.

8. Deposition of the Plaintiff took place on June 28, 2005 and numerous witness depositions took place on July 20 and 21, 2005. The deposition of the designated representative of the Defendant took place in Chicago on July 27, 2005.

9. As a result of the deposition testimony, Plaintiff needs to conduct additional written discovery.

10. Additional depositions will need to be taken and the parties have held August 25 - 26, 2005 and August 30 - 31, 2005 for those depositions.

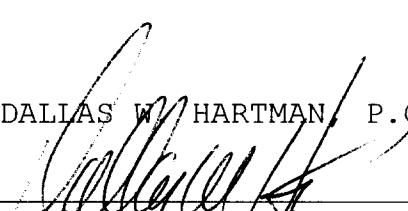
11. As a follow up to the depositions, Plaintiff will need to forward additional interrogatories and request for production of documents to Defendants.

12. Plaintiff is unable to complete fact discovery by September 16, 2005 and is requesting that this Honorable Court extend all deadlines for a period of sixty (60) days.

13. A sixty (60) day extension of the discovery deadline will not cause undue prejudice to the Defendant.

14. Plaintiff's counsel placed a telephone call and left a message for defense counsel. No response was received. Plaintiff's counsel then contacted the defense attorney's secretary and advised of Plaintiff's intention of filing the Motion. Plaintiff's counsel advised that if no objections were received from defense counsel by Tuesday, August 9, 2005, Plaintiff would proceed with filing the Motion. No objection was received by Plaintiff's counsel.

WHEREFORE, Plaintiff requests this Honorable Court grant the Motion to Extend Case Management Order Deadlines by a period of sixty (60) days.

DALLAS W. HARTMAN, P.C.

Dallas W. Hartman, Esq.
Attorney for Plaintiff
Attorney I.D. No. 41649

CERTIFICATE OF SERVICE

I hereby certify that a copy of the within document was served on the party below in the following manner:

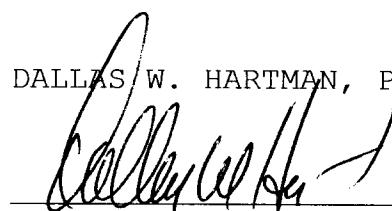
VIA FIRST CLASS MAIL:

Paul R. Robinson, Esquire
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Attorney for DEFENDANT

DATE: 8-9-05

DALLAS W. HARTMAN, P.C.


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